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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,796	04/27/2001	David Corboy	06975-094001 / Browser	7378
26171	7590	10/20/2006	02	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER JACOBS, LASHONDA T	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/842,796	<b>Applicant(s)</b> CORBOY ET AL.	
	<b>Examiner</b> LaShonda T. Jacobs	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20, 22-41 and 48-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-41 and 48-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

This is a Final Office Action in response to Applicants' Amendment/Request for Reconsideration filed on August 7, 2006. Claim 21 has been cancelled. Claims 1-20, 22-41 and 48-59 are presented for further examination. Applicants' newly added claims 60-63 are also presented for examination.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-20, 22-41** and **48-63** are rejected under 35 U.S.C. 102(e) as being anticipated by Stasnick et al (hereinafter, "Stasnick", U.S. Pat. No. 6,397,264).

As per claims **1, 17, 22** and **23**, Stasnick discloses a communications method, computer program and apparatus for transferring electronic data to users of a communication system comprising:

- establishing a connection between a client and a host, the client including a browser application configured to render data encapsulated in a standard Internet content format (col. 6, lines 31-52);

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- receiving electronic data from the host in response to a data request transmitted from the client (col. 7, lines 18-36);
- at the client, simultaneously executing multiple instantiations of the browser application in response to the electronic data received from the host (col. 8, lines 65-67 and col. 9, lines 1-24); and
- wherein at least one instantiation of the browser is configured to exchange messages with at least one other instantiation of the browser application (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claim 2, Stasnick further discloses:

- rendering a first graphical user interface within a first instantiation of the browser and rendering a second graphical user interface in a second instantiation of the browser (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claim 3, Stasnick discloses:

- establishing a communication pathway between multiple instantiations of the browser applications by executing coordinating instantiation code in each of the browser (col. 5, lines 45-50 and col. 6, lines 26-35).

As per claim 4, Stasnick discloses:

- wherein the coordinating code is written in a standard Internet content format (col. 5, lines 45-50).

As per claim 5, Stasnick further discloses:

- establishing communications session in a first instantiation of the browser (col. 9, lines 14-35).

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As per claim 6, Stasnick further discloses:

- controlling the communications session in the first instantiation of the browser (col. 9, lines 14-35).

As per claim 7, Stasnick further discloses:

- displaying content associated with the session in a second instantiation of the browser application (col. 9, lines 14-35).

As per claim 8, Stasnick discloses:

- wherein the data request is transmitted using an OSP client application (col. 4, lines 41-50).

As per claim 9, Stasnick discloses:

- wherein the data request is transmitted using the browser application (col. 6, lines 26-45).

As per claim 10, Stasnick discloses:

- wherein the browser application is embedded within an OSP application (col. 4, lines 41-50).

As per claim 11, Stasnick discloses:

- wherein the standard Internet content format comprises at least one HTML, CSS and Java Script (col. 5, lines 45-50).

As per claim 12, Stasnick discloses:

- wherein the first instantiation of the browser comprises a welcome screen (col. 8, lines 48-64).

As per claim 13, Stasnick discloses:

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- wherein the first instantiation of the browser comprises a toolbar (col. 7, lines 40-67).

As per claim **14**, Stasnick discloses:

- wherein the first instantiation of the browser comprises an electronic mail window (col. 8, lines 34-47)

As per claim **15**, Stasnick discloses:

- wherein a first instantiation of the browser comprises an instant messaging window (col. 8, lines 34-47).

As per claim **16**, Stasnick discloses:

- wherein the first instantiation of the browser comprises a search window (col. 9, lines 14-29).

As per claim **18**, Stasnick discloses:

- wherein the computer readable medium comprises a disc (col. 3, lines 14-21).

As per claim **19**, Stasnick discloses:

- wherein the computer readable medium comprises a client device (col. 3, lines 34-37).

As per claim **20**, Stasnick discloses:

- wherein the computer readable medium comprises a host device (col. 3, lines 34-37).

As per claims **24** and **25**, Stasnick discloses:

- wherein each instantiation of the browser application is configured to exchange messages with at least one other instantiation of the browser application (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **26** and **29**, Stasnick discloses:

- wherein the messages exchanged between instantiations of the browser application include state information (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **27** and **30**, Stasnick discloses:

- wherein the messages exchanged between instantiations of the browser application include session content (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **28** and **31**, Stasnick discloses:

- wherein the messages exchanged between instantiations of the browser application include communication parameters for maintaining connection between instantiations of the browser application (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **32** and **34**, Stasnick discloses:

- wherein the first instantiation of the browser application is dedicated to providing a first online service and at least one other instantiation of the browser application is dedicated to providing a second and different online service (col. 5, lines 45-50 and col. 6, lines 26-35).

As per claims **33** and **35**, Stasnick discloses:

- wherein the first online service is an OSP service and the second online service is an instant messaging service (col. 4, lines 41-50 and col. 8, lines 34-47).

As per claims **36** and **38**, Stasnick discloses:

- wherein a first instantiation of the browser application is configured to receive content from a second instantiation of the browser application, said content being stored on a server that is not otherwise configured to communicate with the first instantiation of the browser application (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **37** and **39**, Stasnick discloses:

- wherein the first instantiation of the browser application is configured for email, the second instantiation is configured for instant messaging and the server is an instant messaging server (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claim **40**, Stasnick discloses:

- receiving content request messages from the at least one other instantiation of the browser application, and communication the content request messages to the host (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claim **41**, Stasnick discloses:

- receiving content from the host in response to the content request messages, and delivering the content to the respective other instantiations of the browser application that sent the content request messages (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **48**, **50**, **52** and **54**, Stasnick discloses:

- wherein executing multiple instantiations comprises executing multiple multi-windowed browser application instantiations (col. 9, lines 14-35).

As per claims **49**, **51**, **53** and **55**, Stasnick discloses:

- wherein executing multiple instantiations comprises executing multiple single-windowed browser application instantiations (col. 9, lines 14-35).

As per claims **56**, **57**, **58** and **59**, Stasnick discloses:

- wherein the messages include data received from the host (col. 8, lines 65-67 and col. 9, lines 1-24).

As per claims **60**, **61**, **62** and **63**, Stasnick discloses:



- wherein simultaneously executing multiple instantiations of the browser application comprises simultaneously opening or launching multiple instantiations of the browser application (col. 8, lines 65-67 and col. 9, lines 1-24).

***Response to Arguments***

3. Applicant's arguments filed August 7, 2006 have been fully considered but they are not persuasive.

**The Office notes the following arguments:**

a. Stasnick does not describe or suggest that multiple instantiations of a browser application are executed simultaneously in response to electronic data received from a host.

**In response to:**

a. Stasnick discloses a multi-browser client architecture for managing multiple applications having a history list. The user in Stasnick reference accesses network resources by providing use identification to the system. The user requests network resources from the Internet in which the content is received from the server (host) to the user. Once the content is received, the user able to navigate through the web wage. The web consists of several instantiations that communicate with each other once the user clicks on a particular feature of the web page such as (tool bar, channel buttons, etc (col. 8, lines 65-67 and col. 9, lines 1-24). Therefore, Stasnick does disclose multiple instantiations of a browser application are executed simultaneously in response to electronic data received from a host.

*Conclusion*

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
October 14, 2006

  
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**PRIMARY EXAMINER**  
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